

EXHIBIT "H" (1 of 4)

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

DONNY A. SINKOV, as Administrator of
the Estate of Spencer E. Sinkov, deceased,
DONNY A. SINKOV, and HARA SINKOV,

Plaintiffs,

-against-

07 Civ. 2866 (CEB)

DONALD B. SMITH, individually and in his
official capacity as Sheriff of Putnam County,
JOSEPH A. VASATURO, individually,
LOUIS G. LAPOLLA, individually,
THE COUNTY OF PUTNAM, New York,
and AMERICOR, INC.,

Defendants.

-----X

Date: December 10, 2007
Time: 10:27 a.m.
Place: 3 Gannett Drive
White Plains, New York

DEPOSITION OF DONNY A. SINKOV,
a Plaintiff in the above-captioned matter, held pursuant
to Notice, at the above time and place, before Stacie
Gero, CSR, a Notary Public of the State of New York.

COURT REPORTING ASSOCIATES, INC.
1699 Route 6; P.O. Box 113
Carmel, New York 10512
(845) 225-0024

2 APPEARANCES:

3

4 LOVETT & GOULD, LLP
5 Attorneys for Plaintiffs
6 222 Bloomingdale Road
7 White Plains, New York 10605
8 BY: KIM BERG, ESQ.

9

10 SANTANGELO, RANDAZZO & MANGONE, LLP
11 Attorneys for Defendants Smith, Vasaturo, Lapolla,
12 and the County of Putnam
13 151 Broadway
14 Hawthorne, New York 10532
15 BY: JAMES A. RANDAZZO, ESQ.

16

17 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP
18 Attorney for Defendants
19 3 Gannett Drive
20 White Plains, New York 10604-3407
21 BY: BERNICE E. MARGOLIS, ESQ.

22

23

16 ALSO PRESENT:

17 Hara Sinkov
18 Alice Brodie

19

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S N O H T A L E M U I R

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5 IT IS HEREBY STIPULATED AND AGREED, by and between
6 the attorneys for the respective parties hereto, that
7 the sealing and filing of the within deposition be
8 waived.

9

10

IT IS FURTHER STIPULATED AND AGREED that this deposition may be signed and sworn to before any officer authorized to administer an oath with the same force and effect as if signed and sworn to before the officer before whom said deposition is taken.

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18 IT IS FURTHER STIPULATED AND AGREED that all
19 objections, except as to form, are reserved to the time
20 of trial.

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2

2 DONNY A. SINKOV,

3 having been first duly sworn by Stacie Gero, a
4 Notary Public of the State of New York, was
5 examined and testified as follows:

6 * * * * *

7 MS. BERG: I just want to reserve
8 Mr. Sinkov's right to review and sign the transcript.

9 MR. RANDAZZO: We'll certainly provide
10 you with a copy.

11 MS. BERG: Thank you.

12 EXAMINATION BY MR. RANDAZZO:

13 Q. Please state your name and address for the
14 record.

15 A. Donny A. Sinkov, 31 Boswell Road,
16 Putnam Valley, New York, 10579.

17 Q. My name is James Randazzo. I represent Donald
18 Smith, Joseph Vasaturo, Louis Lapolla, and the County of
19 Putnam in connection with this action. I'm going to be
20 asking you some questions about the lawsuit.

21 If there's anything I ask you that you don't
22 understand, let me know, and I'll be happy to rephrase
23 it for you.

24 If at any time you want to change or modify an
25 answer that you had previously given, just interrupt me

1 DONNY A. SINKOV

2 and you can certainly do that. You have the right to do
3 that.

4 Also, all your responses, obviously, have to
5 be verbal.

6 Do you understand everything I've said so far?

7 A. Yes.

8 Q. How long have you resided at 31 Boswell Road?

9 A. About 20 years.

10 Q. Does anyone currently reside there with you?

11 A. Yes.

12 Q. Who?

13 A. My wife Haza and my son Trevor.

14 Q. How old is Trevor?

15 A. Trevor is 19.

16 Q. During the 20 years that you've lived there,
17 did anyone else ever live with you at that location?

18 A. Yes.

19 Q. Who else did?

20 A. My son Spencer.

21 Q. Are you currently employed?

22 A. I have my own business. I work for myself.

23 Q. What type of business do you have?

24 A. I'm a mediator and arbitrator and I have a
25 small four-family house in Peekskill.

1 DONNY A. SINKOV

2 Q. What's the address of that house in Peekskill?

3 A. 353-9 Dyckman Street.

4 Q. Is that a property that you rent out?

5 A. It is.

6 Q. How long have you had the property for?

7 A. About 25 years.

8 Q. Have you ever lived at that location?

9 A. No, I have not.

10 Q. How long have you had the business that you
11 currently have, the mediation and arbitration business?

12 A. Approximately six years.

13 Q. Does the business have a name?

14 A. Yes, it does.

15 Q. What's the name of it?

16 A. Yourdivorcemediator.com. That's the name of
17 the mediation business. The arbitration is as an
18 independent contractor for the Financial Industry
19 Regulatory Authority, FINRA.

20 Q. When was the last time that you were involved
21 in an arbitration?

22 A. Several months ago.

23 Q. Do you have any employees that work for you?

24 A. No, I do not.

25 Q. Have you ever had any employees?

1 DONNY A. SINKOV

2 A. No, I have not.

3 Q. Prior to the arbitration and mediation
4 business, were you employed?

5 A. I was employed at New York City Off Track
6 Betting Corporation.

7 Q. In what capacity?

8 A. I was a field supervisor and Local 3 union
9 representative.

10 Q. What type of work did you do for that company?

11 A. The repair and maintenance of computer
12 equipment.

13 Q. Where was your office located?

14 A. In Maspeth, Queens.

15 Q. How long did you work there for?

16 A. Approximately two or three years.

17 Q. Prior to that, were you employed?

18 A. Yes, I was.

19 Q. In what capacity?

20 A. Same capacity. The company moved from its
21 former address at 3716 Queens Boulevard in Long Island
22 City.

23 Q. So you were working for the same company, just
24 at a different address?

25 A. That's correct.

1 DONNY A. SINKOV

2 Q. How long did you work at that other previous
3 address for?

4 A. The total was 33 years, so I guess
5 approximately 30 years.

6 Q. How old are you?

7 A. Fifty-nine.

8 Q. Do you have an office location for your
9 mediation and arbitration business?

10 A. I use office space at 40 Triangle Center,
11 Yorktown Heights, New York.

12 Q. Is there anybody else involved in that
13 business with you currently?

14 A. No, there is not.

15 Q. Is your wife Hara employed?

16 A. No, she is not.

17 Q. Has she been employed in the last 20 years?

18 A. No, she has not.

19 Q. Is Trevor employed?

20 A. No, he is not.

21 Q. Has he been employed in the last five years?

22 A. No, he has not been employed.

23 Q. Is he in school currently?

24 A. Yes, he is.

25 Q. Where does he attend school?

1 DONNY A. SINKOV

2 A. He's a student at Westchester Community
3 College in Valhalla.

4 Q. When did he start there?

5 A. About two years ago.

6 Q. Is he a full-time student?

7 A. Yes, he is.

8 Q. What is he studying there?

9 A. A liberal arts course of study.

10 Q. When was Trevor born?

11 A. March 5, 1988.

12 Q. Has he resided with you continuously since he
13 was born?

14 A. Yes, he has.

15 Q. Is your wife currently under the care of any
16 doctors or physicians?

17 A. Yes, she is.

18 Q. How many different ones?

19 A. Do you want me to try to name each specific
20 one?

21 Q. If you could, that would be helpful.

22 A. Her oncologist is Dr. Ajaz, A-I-J-A-Z, and
23 the office she sees him at is in Peekskill, across from
24 Hudson Valley Hospital. She just saw a
25 gastroenterologist, Dr. Kleinbaum. He's also in the

1 DONNY A. SINKOV

2 same complex with Dr. Aijaz. Her primary care physician
3 is Dr. Robert Abdoo, A-B-D-O-O, 3505 Hill Boulevard,
4 Jefferson Valley. Those are the doctors she generally
5 sees and occasionally there are specialists that she
6 sees. She was -- she has -- do you want the names of
7 doctors she has seen in the past?

8 Q. In the past five years?

9 A. Yes.

10 Q. Yes, if you can recall those.

11 A. She had a surgery with Dr. Chuang,
12 C-H-U-A-N-G. He has an office in White Plains. She had
13 another surgery with Dr. Tony Policastro,
14 P-O-L-I-C-A-S-T-R-O. Those are the ones that I can
15 readily recall.

16 Q. When was the surgery with Dr. Chuang?

17 A. About three years ago.

18 Q. What was that for?

19 A. That was a procedure they called debulking,
20 D-E-B-U-L-K-I-N-G.

21 Q. What does that involve, if you know?

22 A. It's an extensive operation to remove
23 cancerous growths on the intestine, uterus. She had a
24 total hysterectomy. She had -- it was an extensive
25 surgery, so not being a doctor I don't think I can

1 DONNY A. SENKOV

2 adequately describe exactly what took place other than
3 it was an extensive surgery to remove cancerous growths
4 in and on her internal organs.

5 Q. When was your wife first diagnosed with that
6 cancer?

7 A. She was first diagnosed with cancer about 14
8 years ago.

9 Q. What type of cancer was she diagnosed with at
10 that time?

11 A. Breast cancer.

12 Q. Did she have to undergo any surgeries in
13 connection with that?

14 A. She underwent a lumpectomy and was given
15 chemotherapy and radiation treatment.

16 Q. That was about 14 years ago?

17 A. Yes.

18 Q. She was diagnosed with other cancers since
19 that time?

20 A. The doctor said they're not exactly sure how
21 many different cancers are involved.

22 Q. When was the next time after the breast cancer
23 that you discussed your wife having cancer with any
24 doctors?

25 A. About 12 or 13 years after the initial

1 DONNY A. SENKOV

2 diagnosis.

3 Q. What type of surgery did Dr. Policastro
4 perform?

5 A. Breast surgery.

6 Q. Was that cancer-related also?

7 A. Yes, it was.

8 Q. When was that?

9 A. About three years ago.

10 Q. The two surgeries that you mentioned about
11 three years ago, where were they done?

12 A. At Westchester Medical Center.

13 Q. Has your wife had any surgeries since those
14 surgeries three years ago?

15 A. No, she has not.

16 Q. Has she undergone any chemo or radiation
17 treatment?

18 A. Yes, she has undergone chemotherapy treatment.

19 Q. When was that?

20 A. Her chemotherapy treatments are ongoing and
21 she will take them for a week or two and then a period
22 of rest and then -- it's an ongoing continuous treatment
23 with breaks as she needs to have time to rebound and be
24 able to accept more treatment.

25 Q. Who is conducting the treatment?

1 DONNY A. SINKOV

2 A. Dr. Aijaz is.

3 Q. Is that being done at his office or somewhere
4 else?

5 A. Yes, at his office.

6 Q. When was the last time your wife prior to that
7 underwent chemotherapy treatment?

8 A. Well, she saw Dr. Aijaz about a week or two
9 ago and she's getting some chemotherapy treatment in his
10 office and some she's taking orally at home.

11 Q. How long was your wife in the hospital in
12 connection with the surgeries three years ago?

13 A. Several weeks.

14 Q. After that, was she confined by a doctor to
15 her home for any period of time?

16 A. No, she was not -- could you give me an
17 explanation of what you mean by "confined"?

18 Q. After she got out of the hospital, did a
19 doctor require her to stay at home in bed or not leave
20 the house except for medical visits for any period of
21 time?

22 A. No.

23 Q. Did you have any home health care for your
24 wife after she got out of the hospital?

25 A. No.

1 DONNY A. SINKOV

2 Q. When were you married to your wife?

3 A. Twenty-nine years ago.

4 Q. Is your wife currently treating with any
5 psychologists, psychiatrists, or social workers?

6 A. No, she is not.

7 Q. Has she at any time since Spencer's death?

8 A. Yes, she has.

9 Q. Who did she treat with?

10 A. First name is Marcia. Her last name is -- I
11 don't remember offhand. She has an office in Water --
12 something Park in Putnam Valley. Waterside Park in
13 Putnam Valley. Marcia Amstell, A-M-S-T-E-L-L.

14 Q. Is Marcia a doctor, a social worker, or
15 something else; do you know?

16 A. I think she's an LCSW.

17 Q. When did your wife start treating with Marcia
18 Amstell?

19 A. About the same time I did.

20 Q. When was that?

21 A. That was a few months after Spencer's death.

22 Q. Is your wife still treating with Marcia
23 Amstell?

24 A. No, she is not.

25 Q. How long did she see Marcia Amstell for?

1 DONNY A. SINKOV

2 A. I'm not exactly sure.

3 Q. Was it more than six months?

4 A. I'm not sure.

5 Q. Any other social workers, psychologists, or
6 psychiatrists that your wife has treated with since
7 Spencer's death?

8 A. No.

9 Q. Are you still treating with Marcia Amstell?

10 A. No, I am not.

11 Q. How long did you see Marcia Amstell for?

12 A. Several visits. I don't remember exactly how
13 many.

14 Q. Have you treated with any other psychiatrists,
15 psychologists, or social workers?

16 A. No.

17 Q. How about your son Trevor? Has he treated
18 with anyone?

19 A. Yes.

20 Q. Who has he treated with?

21 A. Dr. Burcescu, B-U-R-C-E-S-C-U.

22 Q. What type of doctor is he?

23 A. He's a psychiatrist, an M.D. psychiatrist.

24 Q. Where is he located?

25 A. Crompond Road.

1 DONNY A. SINKOV

2 Q. When did Trevor first start treating with that
3 doctor?

4 A. Approximately at the time of Spencer's death.

5 Q. After his death?

6 A. I'm not sure exactly when.

7 Q. Do you know why Trevor was treating with that
8 doctor?

9 A. He --

10 MS. BERG: Let's just hold up for a
11 second. Trevor is not a named plaintiff in this case.
12 My concern is that you're going into an area that is
13 privileged. He hasn't waived any privilege. He's not a
14 party to the lawsuit.

15 MR. RANDAZZO: So as part of the damages,
16 there's not going to be anything claimed on behalf of
17 Trevor as far as his brother?

18 MS. BERG: No. That's correct.

19 MR. RANDAZZO: Off the record.

20 (Discussion held off the record.)

21 BY MR. RANDAZZO:

22 Q. Do you know what your wife's prognosis is with
23 respect to the cancer that she has?

24 A. Are you asking me if the doctor has discussed
25 the prognosis with me?

1 DONNY A. SINKOV

2 Q. Yes.

3 A. He has not.

4 Q. Did anybody else discuss it with you?

5 A. Yes.

6 Q. Your wife has discussed it with you?

7 A. No.

8 Q. Who else has discussed it with you?

9 A. Dr. Chuang.

10 Q. What has the doctor told you?

11 A. He told me that patients that had the same
12 kind of surgery my wife had had a life expectancy of
13 three to five years following the surgery.

14 Q. When did the doctor tell you that?

15 A. About three years ago.

16 Q. Have you had any conversations with him about
17 that since then?

18 A. No, I have not.

19 Q. What about with any other doctors?

20 A. Have I had any conversations with any other
21 doctors?

22 Q. Yes, about your wife's life expectancy after
23 the surgery.

24 A. Not about her life expectancy, no.

25 Q. Has any doctor indicated that your wife is

1 DONNY A. SINKOV

2 going to require any future surgery?

3 A. No, they have not.

4 Q. When was Spencer born?

5 A. April 22, 1985.

6 Q. Where was he born?

7 A. Which hospital was he born in?

8 Q. Yes.

9 A. Northern Westchester Hospital in Mount Kisco.

10 Q. Did Spencer reside at any address other than
11 the 31 Boswell Road address?

12 A. For a short period of time after he was born
13 we lived at 5 Adair Road in Cortlandt.

14 Q. How long was that?

15 A. Around a year, approximately.

16 Q. Was Spencer residing with you at the time of
17 his death?

18 A. Yes, he was.

19 Q. Was he married at the time?

20 A. No, he was not.

21 Q. Did he have any children?

22 A. No, he did not.

23 Q. Was he providing financial support to anyone
24 at that time?

25 A. No, he was not -- could I back up a little?

1 DONNY A. SINKOV

2 Q. Of course.

3 A. When you say "financial support," could you
4 tell me what you mean by that?

5 Q. Was he contributing money to anybody, whether
6 it's you as his parents, his brother, or any other
7 person?

8 A. So financial contribution regarding money, no,
9 he was not.

10 Q. Was he providing any services to anyone at
11 that time?

12 A. Yes.

13 Q. Who was he providing services to?

14 A. Well, to his mother. To the household. And
15 to me.

16 Q. Spencer's date of death is May 20, 2006; is
17 that correct?

18 A. Yes, it is.

19 Q. At about that time what type of services was
20 he providing to his mother?

21 A. He was helping care for his mother. He would
22 cook. Help her with anything she needed help with. He
23 would shop for groceries. He had worked at the A & P so
24 he was familiar with supermarkets. He had worked at
25 Mrs. Green's. And he could shop at Mrs. Green's or the

1 DONNY A. SINKOV

2 A & P for her and the household. He would run errands.

3 He would get her whatever she needed. He would pick up
4 prescriptions at the pharmacy. He would assist my wife
5 in whatever she needed help with.

6 Q. Approximately how often a week would he cook?

7 A. Whenever she needed something prepared and
8 would ask him.

9 Q. Do you know approximately how often that
10 occurred?

11 A. No, I don't.

12 Q. How often would he shop for groceries?

13 A. At least once a week.

14 Q. Was Spencer employed at the time of his death?

15 A. No, he was not.

16 Q. How often would he run errands for your wife?

17 A. As often as she needed.

18 Q. Do you know how many times a week that would
19 be?

20 A. Not exactly, no.

21 Q. When did he first start doing these things,
22 cooking, shopping, running errands?

23 A. The second time she -- let me see. After her
24 initial diagnosis approximately 13 or 14 years ago,
25 there was a period of time where she was fine and could

1 DONNY A. SINKOV
2 do things for herself. When the second diagnosis
3 occurred approximately three years ago and she was
4 undergoing chemotherapy, she needed assistance. The
5 chemotherapy had a debilitating effect on her and she
6 needed help and he would provide that help to her.

7 Q. So starting about three years ago?

8 A. Approximately.

9 Q. Did there come a point in time after she was
10 diagnosed three years ago that your wife was able to do
11 these things for herself again?

12 A. Since she was diagnosed three years ago, she
13 has needed assistance. She might feel better for short
14 periods of time, but she would need at all other times
15 regular assistance.

16 Q. Since Spencer's death, have you paid anybody
17 to assist your wife?

18 A. No, we have not.

19 Q. Has anyone assisted her since that time?

20 A. Yes.

21 Q. Who has done that?

22 A. I have.

23 Q. Anyone else?

24 A. Not significantly, no.

25 Q. The times that Spencer would go shopping or

1 DONNY A. SINKOV

2 pick up prescriptions for your wife, who paid for those
3 items?

4 A. I did.

5 Q. Was there anything else that Spencer did for
6 your wife that you haven't already testified about?

7 A. I don't think so.

8 Q. You indicated that Spencer provided services
9 for the household also?

10 A. Yes.

11 Q. What type of services?

12 A. He would help me with the repair and
13 maintenance of the house. Cutting the grass. Raking
14 the leaves. Staining the outside of the house. You
15 know, general repair and maintenance. Shoveling snow in
16 the wintertime.

17 Q. In or around April or May of 2006, how often
18 was he doing these things?

19 A. Whenever they needed to be done.

20 Q. Was he the only one that did them?

21 A. No, he was not the only one that did them.

22 Q. Did Trevor do some of these things sometimes?

23 A. Not much.

24 Q. Did you do some of these things sometimes?

25 A. Some.

1 DONNY A. SINKOV

2 Q. Besides yourself and Spencer, did anybody else
3 do these household services; the grass, the leaves,
4 shoveling snow, staining the house?

5 A. No.

6 Q. So it was just the two of you?

7 A. Pretty much.

8 Q. Since Spencer's death, have you paid anyone to
9 help you with these things?

10 A. No, I have not.

11 Q. Is anybody helping you with these things?

12 A. Trevor has been helping me.

13 Q. What type of services did Spencer provide to
14 you?

15 A. He assisted me in taking care of the
16 four-family house.

17 Q. What did he do for that?

18 A. At the time of his death, he was pretty much
19 taking care of everything.

20 Q. What did that include?

21 A. Repair, maintenance, renovation of the
22 apartments as they needed it. He would -- he started
23 collecting the rent the last few months. He was at the
24 point where he could pretty much do everything that I
25 used to do to keep up with the maintenance of the house

1 DONNY A. SINKOV

2 and meeting, you know, the plumbers and electricians and
3 any other work that needed to be done at the house. He
4 had just met with the plumber maybe a month or two
5 before he passed away on a repair. He would put out the
6 garbage on Tuesdays, Tuesday mornings, or late Monday
7 nights. Make sure that that was taken care of.

8 Q. Can you approximate how many hours a week
9 Spencer worked in connection with the four-family house?

10 A. That's difficult to say.

11 Q. Was it more than five hours a week?

12 A. Well, if it was a week when it snowed and we
13 needed to go over there and shovel or he would be able
14 to go over and shovel and sand and salt the sidewalk and
15 the steps and the driveway, on those weeks, it would
16 require more time. In seasons when the grass was
17 growing, he would have to cut the grass at least every
18 week, if not more often. So at those times, it required
19 more than other times when the grass wasn't growing and
20 it wasn't snowing. But still, you know, the garbage had
21 to be put out every Tuesday. The rent had to be
22 collected every month. The repair and maintenance
23 needed to be done whenever an apartment was vacant or a
24 repair had to be done.

25 Q. Did you pay him to do any of that stuff?

1 DONNY A. SINKOV

2 A. No, I didn't pay him.

3 Q. Who is doing it now, that type of work?

4 A. Well, a lot of it isn't getting done. I'm
5 trying to do the best I can to keep up with it, but I
6 don't have anybody trained that can do it. I could hire
7 contractors to do the work, but right now I can't afford
8 to hire contractors.

9 Q. Does Trevor do any of the work there?

10 A. No, he doesn't.

11 Q. So any work that's being done is only being
12 done by yourself at this point in time?

13 A. On an emergency basis when I absolutely have
14 to.

15 Q. Did Spencer have any specific training for
16 repair and/or construction work?

17 A. Well, I gave him whatever training he had.

18 Q. So he didn't go to school or learn from
19 anywhere else, just from you?

20 A. Actually, I think he learned a little bit from
21 a friend of his whose father was a house painter. I
22 think he might have done a job or two with him and was
23 shown how to, you know, paint and scrape and prepare
24 surfaces for painting.

25 Q. Do you know the name of that person that he

1 DONNY A. SINKOV

2 worked for?

3 A. I wouldn't say he worked for them. I would
4 say that he was shown how to do it by them. Do you
5 still want the name?

6 Q. Yes, please.

7 A. Dan Richie. And I think his son Sean
8 explained how to do some of the painting to Spencer.

9 Q. Where do they live?

10 A. In Putnam Valley.

11 Q. Did Spencer graduate from high school?

12 A. Yes, he did.

13 (Brief interruption.)

14 BY MR. RANDAZZO:

15 Q. What high school did Spencer graduate from?

16 A. Walter Panas High School.

17 MS. MARGOLIS: I'm sorry. What was that?

18 THE WITNESS: Walter Panas High School.

19 Q. What year was that?

20 A. Around 2003.

21 Q. Where is that high school located?

22 A. It's in the Lakeland School District.

23 Q. What years did your son attend Walter Panas?

24 A. I'm not exactly sure. I think it was in 2002
25 to 2003.

1 DONNY A. SINKOV

2 Q. Was he there for one year or more than one
3 year?

4 A. To tell you the truth, I don't remember.

5 Q. Where did he go to school before Walter Panas?

6 A. He attended the Harvey School in Katonah.

7 Q. For what period of time did he attend the
8 Harvey School?

9 A. Approximately four years.

10 Q. Did he have any further schooling after Walter
11 Panas?

12 A. He attended the Berkeley School of Music in
13 Boston.

14 Q. When was that?

15 A. It was for a summer program. I don't remember
16 the exact date.

17 Q. Around 2003?

18 A. I don't remember the exact date.

19 Q. It was just for a summer program that he was
20 there?

21 A. That's correct.

22 Q. Any other schooling after Walter Panas?

23 A. Westchester Community College.

24 Q. For what time period?

25 A. From the time he left Walter Panas or

1 DONNY A. SINKOV

2 graduated from Walzer Panas until the time of his death.

3 Q. Do you know how many semesters he attended
4 Westchester Community College?

5 A. Not exactly.

6 Q. Do you know what he was studying at
7 Westchester Community College?

8 A. He was studying a liberal arts curriculum.

9 Q. Did he ever withdraw from the school while he
10 was attending?

11 A. Not that I'm aware of.

12 Q. Do you know how his grades were?

13 A. I think they could have been better.

14 Q. Did he ever discuss what his grades were with
15 you?

16 A. Not very often.

17 Q. Did you ever see any of his transcripts or
18 what could be referred to as a report card from any of
19 his college courses?

20 A. No, I didn't.

21 Q. Any other schooling that he had been involved
22 in?

23 A. He attended the Westchester Conservatory of
24 Music.

25 Q. Do you know when that was?

1 DONNY A. SINKOV

2 A. While he was attending Westchester Community
3 College.

4 Q. What did he go to that conservatory for?

5 A. For music lessons.

6 Q. For a particular instrument?

7 A. For the bass guitar.

8 Q. Is that somewhere where he received guitar
9 lessons?

10 A. Yes.

11 Q. Do you know how many lessons he received at
12 the conservatory?

13 A. No, I don't.

14 Q. Any other schooling that he had?

15 A. I don't think so.

16 Q. Did you review any documents in preparation
17 for your deposition today?

18 A. Yes.

19 Q. What did you review?

20 A. The notes on the 50-H Hearing.

21 Q. The notes or the actual transcript itself?

22 A. The transcript.

23 Q. Anything else that you looked at or reviewed?

24 A. The Statement of Claim.

25 Q. The Notice of Claim?

1 DONNY A. SINKOV

2 A. The Notice of Claim.

3 Q. Is that what you're referring to?

4 A. Yes.

5 Q. Anything else?

6 A. No.

7 Q. Have you kept any type of diary concerning
8 your son's death or any of the events surrounding it?

9 A. No.

10 Q. I believe you indicated that Spencer had a job
11 at the A & P at some point in time; is that correct?

12 A. Yes.

13 Q. Was that the last job that he had before he
14 passed away?

15 A. I don't think so. He had jobs at a number of
16 local stores. I don't remember chronologically what
17 came first or which was his last job, but I could
18 probably tell you some of the places.

19 Q. Well, the A & P, where was that store located?

20 A. Shrub Oak.

21 Q. Do you know what time period he worked at that
22 store for?

23 A. Not exactly.

24 Q. Do you have any best approximation as to when
25 he worked there?

1 DONNY A. SINKOV

2 A. Sometime between 2000 and 2005.

3 Q. Do you know for how long he worked there?

4 A. Not exactly, no.

5 Q. Do you know why he stopped working there?

6 A. No, I don't.

7 Q. Do you know what positions he held while
8 working there?

9 A. I believe he was a cashier and he worked at
10 the customer help desk for a while.

11 Q. Do you know how much he was paid for working
12 there?

13 A. Not exactly.

14 Q. What are some of the other jobs that he had?

15 A. Could I go back and add to that answer?

16 Q. Of course.

17 A. I remember one year I think he made about
18 \$4800 working at the A & P. Because there was a
19 question with the accountant, whether I could take him
20 as a deduction because he earned a certain amount of
21 money.

22 Q. Did Spencer ever file his own tax returns?

23 A. I believe he did.

24 Q. Do you know for what years?

25 A. No, I don't.

1 DONNY A. SINKOV

2 Q. Any other jobs that he had during that time
3 period? Do you recall any of them?

4 A. He worked at Spencer Gifts at the Jefferson
5 Valley Mall. The A & P in Shrub Oak. PetSmart at the
6 Cortlandt Town Center. Mrs. Green's in Mahopac,
7 New York. And my friend's Chinese restaurant in Shrub
8 Oak.

9 Q. Do you know the dates that he held any of
10 those jobs?

11 A. No, I don't, offhand.

12 Q. Do you know the rate of pay for any of those
13 jobs?

14 A. No, I don't.

15 Q. Do you know for how long he held any of those
16 jobs?

17 A. No, I don't.

18 Q. Do you know his reason for leaving any of
19 those jobs?

20 A. No, I don't.

21 Q. What did he do at the Chinese restaurant?
22 What type of work?

23 A. He took orders over the phone and was a
24 cashier.

25 Q. What's the name of that restaurant?

1 DONNY A. SINKOV

2 A. Oriental Express.

3 Q. Is that all of the jobs that you recall

4 Spencer having?

5 A. Right now, yes.

6 Q. Did Spencer have a girlfriend at the time of

7 his death?

8 A. Yes.

9 Q. What was her name?

10 A. Natalie Klein.

11 Q. Do you know where she lives?

12 A. Right now, no, I don't.

13 Q. When was the last time you had any contact
14 with her?

15 A. Several months ago.

16 Q. Was that in person, by telephone, or some
17 other way?

18 A. In person.

19 Q. Where did you see her?

20 A. She visited us at our home.

21 Q. Did she indicate to you where she's working or
22 if she's working?

23 A. No, she didn't.

24 Q. She didn't indicate where she lives?

25 A. No, she didn't.

1 DONNY A. SINKOV

2 Q. Did she give you a telephone number?

3 A. No, she didn't.

4 Q. How long did she meet with you for?

5 A. A few hours.

6 Q. Who was present when she met with you?

7 A. My wife Hara.

8 Q. Prior to that, when was the last time you had
9 spoken to her?

10 A. I don't recall.

11 Q. How many times have you spoken to her since
12 Spencer's death?

13 A. I don't recall.

14 Q. More than five?

15 A. I don't believe so, no.

16 Q. Do you know for how long Natalie and Spencer
17 had been boyfriend and girlfriend?

18 A. Not exactly, no.

19 Q. Was it longer than a year?

20 A. I don't know.

21 Q. Do you know how they met?

22 A. No.

23 Q. Do you know how Natalie got to your house the
24 last time you met with her?

25 A. She drove.